

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

GREGORY WESTON, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 07-4244-CV-C-NKL
)	
LARRY CRAWFORD, et al.,)	
)	
Defendants.)	

ORDER

On March 14, 2008, United States Magistrate Judge William A. Knox recommended dismissing the claims of plaintiffs Gregory Weston and Danny Louie. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). Plaintiff Weston responded and was granted an extension of time in which to comply with this court's order to pay his initial portion of the filing fee. Plaintiff Louie did not file exceptions.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

Inmates who file an appeal with the United States Court of Appeals for the Eighth Circuit are required to pay the full \$455.00 appellate filing fee, regardless of the outcome of the appeal. Henderson v. Norris, 129 F.3d 481, 484 (8th Cir. 1997). The filing of a notice of appeal is considered a consent by the inmate to allow prison officials to deduct an initial partial appellate filing fee and later installments from the prisoner's account.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of March 14, 2008, is adopted, in part. [14] It is further

ORDERED that the claims of plaintiff Danny Louie are dismissed for failure to comply with court orders, pursuant to the provisions of Fed. R. Civ. P. 41(b).

/s/_____

NANETTE K. LAUGHREY
United States District Judge

Dated: April 18, 2008
Jefferson City, Missouri